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RCE/761

PTO/SB/30 (10/01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

*Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provided for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|--------------------|
| Application Number | 09/750,990 |
| Filing Date | December 28, 2000 |
| First Named Inventor | Jorn Borch SOE |
| Group Art Unit | 1761 |
| Examiner Name | Keith D. Hendricks |
| Attorney Docket Number | 674509-2028 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under CFR 1.114.

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103© for a period of __ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(I) required)
- b. ☒ Other: Pursuant to 37 C.F.R. §§1.136(a) and 1.17(a), it is respectfully requested that the period for reply be extended three months, i.e. up to and including June 4, 2004. Payment in the amount of \$950.00 may be charged to the deposit account as authorized below.

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge any additional fees, or credit any overpayments, to
Deposit Account No. 50-0320.
- b. ☒ Check in the amount of \$ 950.00 is enclosed for the following:
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|---------------------------------------|-----------------------------------|------------------|
| Name (Print/Type) | Thomas J. Kowalski Angela M. Nigro | Registration No. (Attorney/Agent) | 32,147 51,107 |
| Signature | <i>Thomas J. Kowalski</i> | Date | June 1, 2004 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | | | |
|--|--------------------|------|--------------|
| Name (Print/Type) | S. a. Ahmed | Date | June 1, 2004 |
| Signature | <i>S. a. Ahmed</i> | Date | June 1, 2004 |
| "Express Mail" mailing label number: EV467847995US | | | |

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PATENT
674509-2028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Jørn Borch SØE
U.S. Serial No. : 09/750,990
Filing Date : December 28, 2000
For : FOODSTUFF
Examiner : Keith D. Hendricks
Art Unit : 1761

745 Fifth Avenue, New York, NY 10151

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Saddam Ahmed
(Typed or printed name of person mailing paper or fee)

S. Ahmed
(Signature of person mailing paper or fee)

PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22303-1450

Dear Sir:

This Preliminary Amendment is being filed with a Request for Continued Examination. As the RCE contains a Request for Extension of Time, it is believed that no fees are due by entry of this paper. However, the Commissioner is hereby authorized to charge any additionally required fee; or credit any overpayment in fees, to Deposit Account No. 50-0320.

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